

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN WRIGHT,

Plaintiff,

Case No. 06-11690

v.

Hon. John Corbett O'Meara

PHILLIPS & COHEN ASSOCIATES, LTD., *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

On April 7, 2006, Plaintiff filed a complaint alleging six counts against Defendants: Count I, Fair Debt Collection Practices Act; Count II, violations of the Michigan Occupational Code; Count III, Michigan Debt Collection Practices Act; Count IV, Fair Debt Collection Practices Act; Count V, violations of the Michigan Occupational Code; and Count VI, Michigan Debt Collection Practices Act. Plaintiff does not allege that diversity jurisdiction exists. Although Counts I and IV are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Counts II, III, V, and VI of Plaintiff's complaint are DISMISSED.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: May 11, 2006